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EXAMINER

WHITE, MITCHELL

ART UNIT PAPER NUMBER

2612

DATE MAILED: 11/20/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/002,349

Applicant(s)

Ikeda

Examiner

Mitchell White

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on Sep 30, 2001

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-23 is/are pending in the applica

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from considera

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-23 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirem

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☒ All b) ☐ Some\* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20) ☐ Other:

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## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 9/13/01 have been fully considered but they are not persuasive.

Applicant argues that the cameras (1000) of the Tsushima et al. Patent (US 5,999,213) are connected to the camera setup system via cables (CA5) and (CA6) and thus, exist separately from the camera setup system and the camera set up system sets various parameters of a plurality of cameras like a central setup station connected to the cameras. However, as will be seen in the art rejection below, the claims are written broadly enough as to allow the camera system of Tsushima et al. to read on the claims.

Applicant argues that the help menu of Tsushima et al. does not display the external operations and corresponding camera functions. However, as will be seen in the art rejection below, Tsushima discloses a help menu that is selected, as in fig. 9F, where various items of assistive information with respect to the camera setup functions are displayed (col. 20, lines 58-61). This assistive information would inherently include the external operations and corresponding camera functions which are inputted through operational input unit (Wd) that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67).

Applicant argues that Tsushima et al. does not disclose a playback unit which has at least two functions of playing back the image captured by the camera and playing back the operation

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guide. However, as will be seen in the art rejection below, Tsushima et al. disclose, in fig. 3, a camera system which includes a computer (100) which may be considered a playback unit capable of providing a recordable and reproducible optical disk (col. 12, lines 3-8) which suggests the function of playing back a captured optical image and a help menu capable of capable of playing back assistive information (col. 20, lines 58-61).

Applicant argues that Ishibashi et al. (US 4,316,656) does not teach actual testing of functions of at least one for the image pickup unit, the recorder, and the playback unit. However, Ishibashi et al. discloses an exposure or iris setting indicator which includes iris or aperture representation (col. 2, lines 50-52). This iris setting indicator inherently performs some form of test to provide the indication of the iris setting.

### ***Claim Rejections - 35 USC § 102***

2. ***The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:***

***A person shall be entitled to a patent unless --***

***(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.***

3. **Claims 1-3, 5-8, 10-13 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsushima et al. (US 5,999,213).**

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Regarding claim 1, Tsushima et al. discloses a method for setting up a camera including a video recorder integrally combined (col. 1, lines 5-11). Tsushima et al. further discloses, in fig. 8, an operational input unit represented by image window (Wd) for inputting external operations that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67). Tsushima et al. further discloses, in fig. 3, a image capture unit (117, col. 13, lines 52-60), a disk drive (350) which may include an optical disk employing an recordable and reproducible optical disk (col. 12, lines 3-8), a mode selector which may be interpreted as a pointing device (300) which is used to select a function from a plurality of functions (col. 16, lines 53-67), wherein if the help menu is selected, as in fig. 9F, various items of assistive information with respect to the camera setup functions are displayed (col. 20, lines 58-61). This assistive information would inherently include the external operations and corresponding camera functions which are inputted through operational input unit (Wd) that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67).

Regarding claim 2, Tsushima discloses a basic input/output system that reads program data such as the help menu of the operating system (129) from the disk drive (350, col. 14, lines 45-65). Tsushima et al. discloses a help menu mode that is selected, as in fig. 9F, in which various items of assistive information with respect to the camera setup functions are displayed.

Regarding claim 3, Tsushima et al. discloses a command analyzer (132) which decides whether a command indicates a help process in which the function would not be performed (col. 26, line 50 - col. 27, line 3).

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Regarding claim 5, Tsushima et al. further discloses, in fig. 3, a image capture unit (117, col. 13, lines 52-60), a disk drive (350) which may include an optical disk employing an recordable and reproducible optical disk (col. 12, lines 3-8).

Regarding claim 6, Tsushima et al. discloses operating system (129) writing image data to a VRAM (105, col. 14, lines 66-67).

Regarding claims 7-8, Tsushima et al. discloses a mode selector which may be interpreted as a pointing device (300) which is used to externally select a function from a plurality of functions (col. 16, lines 53-67).

Regarding claim 10, Tsushima et al. discloses a help menu that is selected, as in fig. 9F, in which various items of assistive information with respect to the camera setup functions are displayed (col. 20, lines 58-61). Since the help screens of the help menu are being viewed on a display, they may be considered a series of images.

Regarding claim 11, Tsushima et al. discloses a help menu that is selected, as in fig. 9F, in which various items of assistive information with respect to the camera setup functions are displayed (col. 20, lines 58-61).

Regarding claim 12, Tsushima et al. disclose using mechanical switches A, B, and C (col. 44, lines 54-56).

Regarding claim 13, Tsushima et al. discloses a mode selector which may be interpreted as a pointing device (300) which is used to select a function from a plurality of functions using a touch screen (col. 16, lines 53-67).

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Regarding claim 22, Tsushima et al. discloses a method for setting up a camera including a video recorder integrally combined (col. 1, lines 5-11). Tsushima et al. further discloses, in fig. 8, an operational input unit represented by image window (Wd) for inputting external operations that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67). Tsushima et al. further discloses, in fig. 3, a image capture unit (117, col. 13, lines 52-60), a disk drive (350) which may include an optical disk employing an recordable and reproducible optical disk (col. 12, lines 3-8), a mode selector which may be interpreted as a pointing device (300) which is used to select a function from a plurality of functions (col. 16, lines 53-67), wherein if the help menu is selected, as in fig. 9F, various items of assistive information with respect to the camera setup functions are displayed (col. 20, lines 58-61). This assistive information would inherently include the external operations and corresponding camera functions which are inputted through operational input unit (Wd) that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67).

***Claim Rejections - 35 USC § 103***

4. ***The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:***

***(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.***

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5. **Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsushima et al. in view of Parulski et al. (US 5,633,678).**

Regarding claim 4, Tsushima et al. discloses a help menu that is selected, as in fig. 9F, in which various items of assistive information with respect to the camera setup functions are displayed (col. 20, lines 58-61) wherein the help menu is stored on a computer with a removable memory (col.12, line 57- col. 13, line 23). Tsushima et al. does not explicitly state that the help menu is automatically selected when the detachable recording medium having the help menu stored thereon is attached. However, Parulski et al. discloses a camera for capturing and categorizing images which includes category information that is externally generated from a computer on a memory card and uploading to the camera (col. 4, line 56- col. 5, line 8). When the memory card is inserted into the camera, a processor determines if the memory card contains any category information and if the memory card contains any category information then the information is downloaded to the camera (col. 5, lines 9-60). Therefore, it would have been obvious to modify the Tsushima et al. camera to include a help menu that is automatically selected when the detachable recording medium having the help menu stored thereon is attached as taught by Parulski et al. to store the help menu of a detachable memory medium so it could be read or used when the camera is detached from the camera.

6. **Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsushima et al.**

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Regarding claim 9, Tsushima et al. discloses a help menu that is selected, as in fig. 9F, in which various items of assistive information with respect to the camera setup functions are displayed (col. 20, lines 58-61). Tsushima et al. further disclose, in fig. 3, a camera setup system which includes a computer (100, col. 11, lines 6-20). Tsushima et al. does not explicitly state that the help menu operates in the form of sound. However, Official Notice is taken that computers have speech synthesizers to read text so as to assist vision-impaired users. It would have been obvious to have the Tsushima et al. computer to include sound to read text so as to assist vision-impaired users.

**7. Claims 14-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsushima et al. in view of Ishibashi et al (US 4,316,656).**

Regarding claim 14, Tsushima et al. discloses a method for setting up a camera including a video recorder integrally combined (col.1, lines 5-11). Tsushima et al. further discloses, in fig. 8, an operational input unit represented by image window (Wd) for inputting external operations that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67). Tsushima et al. further discloses, in fig. 3, a image capture unit (117, col. 13, lines 52-60), a disk drive (350) which may include an optical disk employing an recordable and reproducible optical disk (col. 12, lines 3-8), a mode selector which may be interpreted as a pointing device (300) which is used to select a function from a plurality of functions (col. 16, lines 53-67), wherein if the help menu is selected, as in fig. 9F, various items of assistive information with respect to the camera setup functions are displayed (col. 20, lines 58-61). This assistive

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information would inherently include the external operations and corresponding camera functions which are inputted through operational input unit (Wd) that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67). Tsushima et al. does not explicitly state that the camera includes diagnosis mode which includes a function tester for testing functions of the camera if the function diagnosis mode is selected by the mode selector. However, Ishibashi et al. discloses useful function and status information of camera operation under the control of various function test select buttons disposed about the camera housing (col. 1, lines 28-53). Ishibashi et al. discloses an exposure or iris setting indicator which includes iris or aperture representation (col. 2, lines 50-52). This iris setting indicator inherently performs some form of test to provide the indication of the iris setting. It would have been obvious to modify the Tsushima et al. camera to include a diagnosis mode which includes a function tester as taught by Ishibashi et al. to provide status information of functions of a camera to ensure proper camera operation.

Regarding claim 15, Tsushima et al. further discloses, in fig. 3, a image capture unit (117, col. 13, lines 52-60), a disk drive (350) which may include an optical disk employing an recordable and reproducible optical disk (col. 12, lines 3-8), a mode selector which may be interpreted as a pointing device (300) which is used to externally select a function from a plurality of functions (col. 16, lines 53-67). Tsushima et al. does not explicitly state that the camera includes diagnosis mode which includes a function tester for testing functions of the camera if the function diagnosis mode is selected by the mode selector. However, Ishibashi et al. discloses

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useful function and status information of camera operation under the control of various function test select buttons disposed about the camera housing (col. 1, lines 28-53). It would have been obvious to modify the Tsushima et al. camera to include a diagnosis mode which includes a function tester as taught by Ishibashi et al. to provide status information of functions of a camera to ensure proper camera operation.

Regarding claim 16, Tsushima et al. further discloses, in fig. 3, a image capture unit (117, col. 13, lines 52-60), a disk drive (350) which may include an optical disk employing an recordable and reproducible optical disk (col. 12, lines 3-8), a mode selector which may be interpreted as a pointing device (300) which is used to externally select a function from a plurality of functions (col. 16, lines 53-67). Tsushima et al. does not explicitly state that the camera includes diagnosis mode which includes a function tester for testing functions of the camera if the function diagnosis mode is selected by the mode selector. However, Ishibashi et al. discloses useful function and status information of camera operation under the control of various function test select buttons disposed about the camera housing (col. 1, lines 28-53). It would have been obvious to modify the Tsushima et al. camera to include a diagnosis mode which includes a function tester as taught by Ishibashi et al. to provide status information of functions of a camera to ensure proper camera operation.

Regarding claim 17, Tsushima et al. further discloses, in fig. 3, a image capture unit (117, col. 13, lines 52-60), a disk drive (350) which may include an optical disk employing an recordable and reproducible optical disk (col. 12, lines 3-8), a mode selector which may be

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interpreted as a pointing device (300) which is used to externally select a function from a plurality of functions (col. 16, lines 53-67). Tsushima et al. does not explicitly state that the camera includes diagnosis mode which includes a function tester for displaying results generated by the function tester. However, Ishibashi et al. discloses useful function and status information of camera operation under the control of various function test select buttons disposed about the camera housing wherein an all-test button is provided to actuate various function indicators by the quantity indicator in a test function sequence for a readout of all the displayed camera functions (col. 1, lines 28-53).

Regarding claim 18, Tsushima et al. discloses a method for setting up a camera including a video recorder integrally combined (col.1, lines 5-11). Tsushima et al. further discloses, in fig. 8, an operational input unit represented by image window (Wd) for inputting external operations that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67). Tsushima et al. further discloses, in fig. 3, a image capture unit (117, col. 13, lines 52-60), a disk drive (350) which may include an optical disk employing an recordable and reproducible optical disk (col. 12, lines 3-8), a mode selector which may be interpreted as a pointing device (300) which is used to select a function from a plurality of functions (col. 16, lines 53-67). This assistive information would inherently include the external operations and corresponding camera functions which are inputted through operational input unit (Wd) that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67). Tsushima et al. does not explicitly state that the camera includes diagnosis mode

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which includes a function tester for testing functions of the camera if the function diagnosis mode is selected by the mode selector. However, Ishibashi et al. discloses useful function and status information of camera operation under the control of various function test select buttons disposed about the camera housing (col. 1, lines 28-53). Ishibashi et al. discloses an exposure or iris setting indicator which includes iris or aperture representation (col. 2, lines 50-52). This iris setting indicator inherently performs some form of test to provide the indication of the iris setting. It would have been obvious to modify the Tsushima et al. camera to include a diagnosis mode which includes a function tester as taught by Ishibashi et al. to provide status information of functions of a camera to ensure proper camera operation.

Regarding claim 19, Tsushima et al. does not explicitly state that the camera includes diagnosis mode which includes a function tester for automatically testing functions. However, Ishibashi et al. discloses automatically displaying predetermined camera functions during testing function (col. 2, lines 3-9). It would have been obvious to modify the Tsushima et al. camera to include a diagnosis mode which includes a function tester as taught by Ishibashi et al. to provide status information of functions of a camera to ensure proper camera operation.

Regarding claim 20, Tsushima et al. discloses a mode selector which may be interpreted as a pointing device (300) which is used to externally select a function from a plurality of functions (col. 16, lines 53-67). Tsushima et al. does not explicitly state that the camera includes diagnosis mode which includes a function tester for testing functions of the camera if the function diagnosis mode is selected by the mode selector. However, Ishibashi et al. discloses useful function and

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status information of camera operation under the control of various function test select buttons disposed about the camera housing (col. 1, lines 28-53). It would have been obvious to modify the Tsushima et al. camera to include a diagnosis mode which includes a function tester as taught by Ishibashi et al. to provide status information of functions of a camera to ensure proper camera operation.

Regarding claim 21, Tsushima et al. discloses a method for setting up a camera including a video recorder integrally combined (col. 1, lines 5-11). Tsushima et al. further discloses, in fig. 8, an operational input unit represented by image window (Wd) for inputting external operations that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67). Tsushima et al. further discloses, in fig. 3, a image capture unit (117, col. 13, lines 52-60), a disk drive (350) which may include an optical disk employing an recordable and reproducible optical disk (col. 12, lines 3-8), a mode selector which may be interpreted as a pointing device (300) which is used to select a function from a plurality of functions (col. 16, lines 53-67). This assistive information would inherently include the external operations and corresponding camera functions which are inputted through operational input unit (Wd) that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67). Tsushima et al. does not explicitly state that the camera includes diagnosis mode which includes a function tester for testing functions of the camera if the function diagnosis mode is selected by the mode selector. However, Ishibashi et al. discloses useful function and status information of camera operation under the control of various function test select buttons disposed

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about the camera housing (col. 1, lines 28-53). Ishibashi et al. discloses an exposure or iris setting indicator which includes iris or aperture representation (col. 2, lines 50-52). This iris setting indicator inherently performs some form of test to provide the indication of the iris setting. It would have been obvious to modify the Tsushima et al. camera to include a diagnosis mode which includes a function tester as taught by Ishibashi et al. to provide status information of functions of a camera to ensure proper camera operation.

Regarding claim 23, Tsushima et al. discloses a method for setting up a camera including a video recorder integrally combined (col. 1, lines 5-11). Tsushima et al. further discloses, in fig. 8, an operational input unit represented by image window (Wd) for inputting external operations that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67). Tsushima et al. further discloses, in fig. 3, a image capture unit (117, col. 13, lines 52-60), a disk drive (350) which may include an optical disk employing an recordable and reproducible optical disk (col. 12, lines 3-8), a mode selector which may be interpreted as a pointing device (300) which is used to select a function from a plurality of functions (col. 16, lines 53-67), wherein if the help menu is selected, as in fig. 9F, various items of assistive information with respect to the camera setup functions are displayed (col. 20, lines 58-61). This assistive information would inherently include the external operations and corresponding camera functions which are inputted through operational input unit (Wd) that designate corresponding functions of the camera to be performed using the icon images (col. 16, lines 53-67). Tsushima et al. does not explicitly state that the camera includes diagnosis mode which includes a function tester for

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testing functions of the camera if the function diagnosis mode is selected by the mode selector. However, Ishibashi et al. discloses useful function and status information of camera operation under the control of various function test select buttons disposed about the camera housing (col. 1, lines 28-53). Ishibashi et al. discloses an exposure or iris setting indicator which includes iris or aperture representation (col. 2, lines 50-52). This iris setting indicator inherently performs some form of test to provide the indication of the iris setting. It would have been obvious to modify the Tsushima et al. camera to include a diagnosis mode which includes a function tester as taught by Ishibashi et al. to provide status information of functions of a camera to ensure proper camera operation.

### *Conclusion*

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitchell White whose telephone number is (703) 305-8155. The examiner can normally be reached on Monday-Thursday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

MLW

November 15, 2001

  
WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600